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RHEHAAA/NSC WASHDC  
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C O N F I D E N T I A L SECTION 01 OF 03 BEIRUT 000101

SIPDIS

DEPT FOR NEA/FO, NEA/ELA  
ALSO FOR IO/PDAS WARLICK  
P FOR DRUSSELL AND RRANGASWAMY  
USUN FOR WOLFF/GERMAIN/SCHEDLBAUER  
NSC FOR MCDERMOTT

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TAGS: [PREL](#) [PGOV](#) [PTER](#) [PINR](#) [UNSC](#) [KCRM](#) [KJUS](#) [KTIP](#) [SOCI](#)  
LE, SY  
SUBJECT: LEBANON: JUSTICE MINISTER CONFIDENT SPECIAL  
TRIBUNAL IS ON TRACK

REF: 2008 BEIRUT 1520

Classified By: Ambassador Michele J. Sison for reasons 1.4 (b) and (d).

SUMMARY  
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¶1. (C) Justice Minister Ibrahim Najjar informed the Ambassador that he expected the four Lebanese judges on the Special Tribunal for Lebanon (STL) to spend approximately two weeks in The Hague in March to approve the procedural code for the Tribunal. He also believed the four generals, currently detained in a Lebanese prison for alleged involvement in former Prime Minister Rafiq Hariri's assassination, would be transferred to the STL. He expected appointments of new trial judges in Lebanon to occur in the next ten days. However, it was unlikely the appointment of the Head of Judicial Inspections would happen anytime soon, due to personal disagreements and broader Sunni-Shia antagonism, he said. Najjar was receptive to receiving U.S. assistance to implement Lebanon's trafficking in persons draft law. On Lebanon's June parliamentary elections, Najjar believed opposition leader Michel Aoun would be under pressure and forced to change his strategy if President Sleiman decided to back independent candidates. End summary.

STL JUDGES TO THE HAGUE, FOLLOWED  
BY FILES AND DETAINEES  
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¶2. (C) Still convalescing from his December 10 automobile accident, Justice Minister Ibrahim Najjar informed the Ambassador January 23 that he expected the four Lebanese judges selected to serve on the Special Tribunal for Lebanon (STL) to go to The Hague March 9-20 to finalize procedural preparations started in October 2008, including provisions applied to protection, witnesses, evidence submission, rebuttals, languages to be used, and translation. The first official act of the STL will be to convene a plenary session where the judges approve these procedural guidelines.

¶3. (C) Najjar clarified that his involvement with the STL only extended to ensuring that Judge Saiid Mirza, the GOL Public Prosecutor, as well as the Lebanese judges appointed to the STL were given the independence to do their jobs without interference from the Ministry or anyone else. He added that he expected the four generals currently held in

custody in connection with the assassination of former PM Rafiq Hariri, as well as several other detainees and their accompanying files, to transfer to the STL soon after it commences its work.

14. (C) Responding to the Ambassador's query about the status of appointments for trial judges, Najjar said he expected to sign the appointments within the next ten days or so. Trial judges, Najjar affirmed, did not require cabinet approval, and he did not anticipate rejecting the nominations of the names submitted. However, the appointment to head the Judicial Inspection unit remained "deadlocked," he said. Explaining that the problem with the judicial inspections nomination was a personal problem between Prime Minister Fouad Siniora and Speaker of Parliament Nabih Berri, Najjar did not expect the two to reach agreement on a suitable candidate anytime soon. Najjar continued that Berri would never allow Siniora to be perceived as more powerful, and vice versa.

15. (C) Najjar characterized this dispute as but a small example of a larger problem of "Sunni-Shia antagonism" in Lebanon and the region. To illustrate his point, Najjar called recent overtures by Saudi Arabia to reconcile with Syria as nothing but a "soap opera" that allowed the Syrians to gain time. In a veiled suggestion to the new U.S. administration, Najjar claimed, "Never trust the Syrians...never. You should count your fingers after you salute them."

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NAJJAR INTERESTED IN U.S. ASSISTANCE  
FOR TRAFFICKING IN PERSONS LAW  
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16. (C) Turning to the issue of progress on Lebanon's draft trafficking in persons (TIP) law, the Ambassador urged the Minister to press for quick passage of the final law. The Minister agreed the law was important, but its passage and implementation needed to be completed in a "codified" manner. He believed that after the nominations of the trial judges were completed, the newly appointed judges should take up serious work on the TIP law. The Ambassador offered additional U.S. assistance in combatting trafficking in persons, if requested. Najjar responded positively and requested a subsequent meeting specifically to discuss TIP issues.

NAJJAR: PRESSURE ON AOUN TO ADJUST STRATEGY  
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17. (C) On Lebanon's June parliamentary elections, Najjar, a March 14 minister, assessed that opposition leader Michel Aoun would be forced to adjust his electoral strategy if President Sleiman chose to back specific independent candidates or created his own bloc. Najjar claimed that Sleiman would not oppose any strategy that would help him, especially if it pulled support away from Aoun, saying Sleiman "heartfully hates Aoun." Najjar believed that independent Christians like Mansour Ilbon and Neemat Frem could challenge Aoun's popularity in the district of Kesrwan; while in the Metn, if Greek Orthodox MP Michel Murr's allies with March 14, as he has signaled he will, that could add pressure on Aoun.

JUDICIAL SECTOR ASSISTANCE  
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18. (C) The Ambassador highlighted USG support for the judiciary, an important state institution, equal in importance to the Lebanese Armed Forces and the Internal Security Forces. Ongoing USAID assistance to the judiciary includes efforts to increase the effectiveness and independence of the Lebanese judicial system with better

educated judges, more efficient and transparent courts and legal processes, and reduced backlogs. The Ambassador sought a guarantee from Najjar that the USAID-financed renovation of the Judicial Training Institute would remain in its current location and become the dedicated space for all judicial training programs. Najjar said he agreed "100 percent," and said it was the GOL's responsibility to be faithful to its partnership with the U.S. If the U.S. had concerns about the training institute, Najjar advised that we submit a formal letter seeking a guarantee, which he promised to sign.

COMMENT

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¶9. (C) The well-respected Najjar appears an earnest interlocutor where matters of the Ministry are concerned. We will follow-up with Najjar on his assurances regarding the location and use of the Judicial Training Institute and his interest in TIP law. We are encouraged to hear the appointments of the trial judges are imminent. However, the antagonism between Berri and Siniora makes resolution of the appointment of the Head of Judicial Inspections unlikely in the near term. Political differences are also holding up the remaining five appointments to the Constitutional Council, Lebanon's highest court, which has suffered a judicial vacuum since 2005 (reftel).

¶10. (C) On the Tribunal, several of our March 14 contacts, including Saad Hariri, believe the UN International Independent Investigation Commission (UNIIIC) will request the transfer of the four generals to the STL. If UNIIIC does not do so, we expect mounting pressure on the Lebanese authorities to release the generals from custody. End comment.

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